

**CITY OF KINGMAN**  
**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION**  
**Council Chambers**  
**310 N. 4<sup>th</sup> Street**  
**Kingman, Arizona**

**6:00 P.M.**

**Minutes**

**Tuesday January 13, 2015**

<b>Members Present:</b>	<b>Staff Present:</b>	<b>Visitors Signing In:</b>
Allen Mossberg, Commission Chair	Gary Jeppson, Development Services Director	See attached list
Mike Blair, Vice-Chair	Rich Ruggles, Principal Planner	
Tyler Angle, Commission Member	Sylvia Shaffer, Planner	
Gene Kirkham, Commission Member	Sandi Fellows, Recording Secretary	
Vickie Kress, Commission Member		
Dustin Lewis, Commission Member		
Council Liaison Present:		
Mark Abram		

**REGULAR MEETING MINUTES**

**CALL TO ORDER & ROLL CALL**

Chair Mossberg called the meeting to order at 6:00 P.M. and the Recording Secretary called the roll. All Commission Members were present with the exception of Commissioner Wimpee, Jr., who was excused. The Pledge of Allegiance was led by Chair Mossberg and recited in unison.

**1. APPROVAL OF MINUTES:** The Regular Meeting Minutes of December 9, 2014.

Vice-Chair Blair made a MOTION to APPROVE the Regular Meeting Minutes of December 9, 2014 as written. The MOTION was SECONDED by Commissioner Lewis and the MOTION was APPROVED by a vote of (6-0) to the affirmative.

**2. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC:**

There were no comments.

**3. ELECTION OF CHAIR AND VICE-CHAIR FOR 2015:**

Commissioner Kress made a MOTION to REAPPOINT Allen Mossberg as Commission Chair. The MOTION was SECONDED by Vice-Chair Blair, and CARRIED with UNANIMOUS (6-0) APPROVAL in favor of the motion.

Commissioner Kirkham made a MOTION to REAPPOINT Mike Blair as Vice-Chair of the Planning and Zoning Commission. The MOTION was SECONDED by Commissioner Kress, and the MOTION carried with UNANIMOUS (6-0) APPROVAL.

#### **4. PAST COUNCIL ACTION:**

- A. ZONING ORDINANCE TEXT AMENDMENT CASE ZO14-006:** A city-initiated request to consider a text amendment to Section 25.000 Sign Code, Subsection 25.500.1. Prohibited Signs—Parking of Advertising Vehicles Prohibited. The proposed text amendment would repeal Subsection 25.000.1. in its entirety and replace the subsection with new language which would clarify under what conditions the parking of advertising vehicles would be prohibited. Prohibited advertising vehicles are proposed to include those in which the primary purpose is the display of signs or are otherwise used as static displays, and/or have signs which extend beyond the vehicle profile, and/or are not operating, registered, or licensed, and/or have periods of inactivity exceeding 72-hours in which advertising signs are displayed to the public.

Development Services Director Gary Jeppson addressed the Commission and reported that the City Council had approved Ordinance 1791 to clean up language on vehicle signage.

- B. CONSIDERATION OF A RECOMMENDATION TO THE CITY COUNCIL CONCERNING THE APPOINTMENT/REAPPOINTMENT OF PLANNING COMMISSIONERS WHOSE TERMS END DECEMBER 31, 2014:** The terms of Chair Mossberg and Commissioners Lewis and Angle end on December 31, 2014. Commissioners Angle and Lewis are both eligible for re-appointment. Chair Mossberg will require a super majority of Council approval as he has already completed two full terms on the Planning and Zoning Commission.

Gary Jeppson reported that Council had reappointed Chair Mossberg and Commissioners Lewis and Angle to the Planning and Zoning Commission.

#### **5. OLD BUSINESS:**

- A. CONSIDERATION OF THE PLANNING AND ZONING COMMISSION INITIATING A TEXT AMENDMENT TO SECTION 10.000: LANDSCAPING OF THE ZONING ORDINANCE OF THE CITY OF KINGMAN ARIZONA:** The staff has examined the landscaping regulations of the City and is recommending amendments for the Planning and Zoning Commission to consider to upgrade and clarify the landscaping regulations of the City, particularly for parking lots.

Commissioner Angle recused himself from this agenda item and left the room.

Principal Planner Rich Ruggles addressed the Commission stating that this was not a public hearing, but the second review and discussion of the Landscape Ordinance. At the previous Planning and Zoning Commission meeting staff was requested to provide information regarding the landscaping ordinances of Lake Havasu and Bullhead City.

All three cities require new commercial, industrial, and multi-family developments to meet the designated landscaping requirements.

For commercial redevelopment, the City of Kingman requires any redevelopment that has an addition or remodel that is 25% or greater and/or \$20,000 or more in improvement costs to update the landscaping, if less than 5% of the site is currently landscaped. Lake Havasu did not clearly state their requirement and Bullhead City requires any increase in number of structures, and/or increase of square footage by 10% to update the landscaping on site.

The City of Kingman and Bullhead City require sites which have a rezone, variance or conditional use permit to meet landscaping requirements. Lake Havasu City requires applicants to update their landscaping when there is a change of use and the existing landscaping does not meet standard.

The total area of the site required to be landscaped by the City of Kingman is 10% of the net area, where Lake Havasu varies its requirements by development type and Bullhead City has no minimum requirement.

The City of Kingman restricts fruiting mulberry and olive trees while the other two cities did not state any restrictions. The City of Kingman is proposing that artificial turf may be counted towards a portion of required landscaping. In Havasu and Bullhead City the Development Director may approve artificial plants and other materials.

The maintenance of the landscaping is the responsibility of the owner, lessee, heir, assigns, agent, etc., in all three cities, with the replacement of dead plants consistent among the three cities. The City of Kingman includes that maintenance of right-of-way landscaping is the responsibility of the owner, lessee, etc.

Havasu and Bullhead City discourage or do not allow outdoor water displays whereas the City of Kingman does not have a water display restriction. The recommended plant list varies for all three cities.

Lake Havasu prescribes a low water pressure irrigation system and Bullhead City requires that the irrigation system must be spray, fluid, soaker or drip with a pressure type vacuum breaker. For Kingman, staff is proposing an automatic irrigation system, a backflow preventions assembly must be installed, there must be a minimum distance from the building

under certain soil conditions, and the system must be designed to promote water conservation and prevent overflow in to the street.

The interior parking standards vary between the three cities. There is no minimum area stated for Kingman regarding parking lot landscaping. Lake Havasu requires 10% of the parking area and a 10 foot wide strip, where Bullhead requires a minimum 5 foot by 25 foot area. The applicability in Havasu and Bullhead is not stated and for Kingman 10 or more parking spaces is proposed.

One tree and two shrubs per landscape island is proposed for Kingman, Havasu does not state any landscaping, and Bullhead is two shrubs three feet high every ten parking spaces. In Kingman landscape islands are proposed every eight spaces in a row and one at the end of each row. Havasu requires one landscape island per every 15 spaces; Bullhead does not state a requirement. Landscape island size proposed for Kingman is nine by nineteen single row, and nine by twenty-eight double row; Havasu is 64 square feet, and for Bullhead there is no requirement stated. The landscape perimeter adjacent to the right-of-way proposed by Kingman is a ten foot wide strip; Havasu is also a ten foot wide strip, and Bullhead is five feet for multi-family and commercial, and 20 feet wide for industrial.

Havasu is the only city which may accept a surety to assure the completion of the landscaping after a certificate of occupancy is issued, and the landscaping must be completed within six months. Kingman and Bullhead require the landscaping to be installed before the issuance of a certificate of occupancy.

Kingman does not permit vegetation, fences, or walls higher than three feet within a sight triangle, and trees must be trimmed so that there is no view obstruction 8 feet from the ground. Havasu does not state a requirement for sight triangles, and Bullhead requires shrubs within 25 feet of the site triangle to be no more than three feet high.

Planning staff also conducted additional research on questions Commission members posed at the December 9, 2014 meeting. Staff met with two local landscaping businesses and a local nursery owner. Those contacted recommended that all plants be provided irrigation through an irrigation system, as the system can be adjusted to suit the needs of individual plants. The professionals contacted reported that a separate meter and backflow for irrigation is not normally necessary until 2000 square feet of landscaping area is reached.

Regarding artificial turf, it was suggested that the best way to regulate the quality is by enforcing its maintenance, as poor quality turf will need to be replaced sooner. Landscapers acknowledged that commercial businesses would generally contract to have higher quality turf installed.

The landscapers recommended continuing to use the existing recommended plant list as a guideline. However, staff is recommending that this be turned into a required plant list, with modifications that could be approved by the department.

Planning staff looked at options for changes to landscaping requirements for remodeling and expansions of existing buildings. Under the current landscaping requirements of Kingman, remodeling and expansions of existing buildings that have less than 5% of the net site area landscaped are required to provide a minimum of on-site landscaping that is equal to 5% of the gross floor area of the building, provided the improvement costs exceed \$20,000 and / or the developed area increases by 25% or more. Staff reviewed 25 commercial remodeling and expansion projects, and 12 out of 25 locations had less than 5% of the site area landscaped. If the ordinance is modified to require additional landscaping when less than 10% of the gross area is landscaped then 19 of the 25 locations would have substandard landscaping. Increasing the landscaping requirement from 5% to of the net area to 10% of the gross area would increase the number of locations which have substandard landscaping areas from 12 to 19. Staff advised that the actual number of projects which are required to be landscaped is ultimately determined by the permit valuation and the area of development increase.

Another question posed to staff was if the minimum area to be landscaped is increased from 5% of the net area to 10% of the gross area, how many commercial remodeling and expansion projects over the \$20,000 threshold will be required to provide additional landscaping? Under the current ordinance, out of the 25 commercial remodel permits reviewed, 10 out of 25 locations had less than 5% of the site area landscaped where the permit was over \$20,000 in value, as would be subject to providing additional landscaping.

When only exterior remodels and expansions over \$20,000 in value are subject to the 10% landscaping requirements, then 9 out of the 25 projects would be required to provide additional landscaping. When both exterior and interior remodels and expansions over \$20,000 in value are subject to the 10% landscaping requirements, then 16 out of the 25 projects would be required to provide additional landscaping.

Commissioner Lewis stated that there are many plants that are not generally associated with this area that have adapted to Kingman, such as Palm and Palo Verde trees. He felt we would be limiting ourselves with a required plant list.

Commission members expressed concern regarding the maintenance of landscaping, as once the certificate of occupancy was issued for new construction the vegetation was allowed to die and never replaced. Mr. Ruggles stated that there was an ordinance that required plants that had perished to be replaced within 90 days, it was just a matter of enforcing it. Commissioner Lewis suggested that instead of proposing new regulations, perhaps the current regulations just need to be enforced.

Doug Angle, owner of Angle Homes, addressed the Commission and stated that the proposed ordinance regarding parking spaces and landscape islands was too restrictive. Mr. Angle stated that he had plans to construct an eighteen thousand square foot new commercial building, which would require one-hundred parking spaces. With the proposed ordinance, he would lose nine parking spaces. This may cause him to reduce the size of his building, or not have enough parking spaces, which could impact the rents charged to make the building feasible. Mr. Angle went on to state that a structure such as the Kingman Regional Medical Center, that does frequent remodeling and additions would have to retroactively install landscape islands that would be cost prohibitive as well as reduce parking spaces.

Mike Van Zandt, director of operations at KRMC, stated that he was concerned with the cost that would be accrued to add the proposed islands. Mr. Van Zandt estimated each island would cost about \$3000 to construct, and would add to medical costs. He felt it would be even more difficult for a business to be able to afford to build or renovate a property, and bring it up to the proposed standards.

Vice-Chair Blair acknowledged that the buildings downtown are already pressed for parking, and there is no room to landscape. He suggested that landscaping islands would be better every 15 spaces instead of eight or ten spaces.

Commissioner Kress stated that the proposed ordinance could cause issues for developers and commercial property owners, but it must be balanced with at what point do you decide you value the appearance of your community?

Mr. Ruggles clarified that the proposed parking lot landscaping standards would be applied to new development rather than expansions of existing development.

Commissioner Lewis suggested that the Commissioners get together for a workshop on this proposed ordinance.

Commissioner Kirkham made a MOTION TO TABLE the discussion on the consideration of initiating a text amendment regarding the Landscaping Ordinance. The MOTION was SECONDED by Commissioner Kress, and the MOTION CARRIED UNANIMOUSLY (5-0) with Commissioner Angle abstaining.

The workshop was scheduled for February 3, 2015 after the Annual Report luncheon at Canyon 66 Restaurant, 3100 Andy Devine Avenue.

**6. NEW BUSINESS:**

- A. DISCUSSION OF A MEMBER OF THE ENGINEERING STAFF ATTENDING THE PLANNING AND ZONING COMMISSION MEETINGS.** Commissioner Angle asked that the Commission discuss whether a member of the Engineering Department should be invited to the Planning and Zoning Commission meetings.

Gary Jeppson addressed the Commission and stated that the City Engineer, Greg Henry, was willing to attend the Planning and Zoning Commission meetings that had engineering related items on the agenda, such as preliminary plat reviews.

**COMMISSIONERS COMMENTS:** Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings and requests for reports from staff.

Commissioner Kress thanked Allen Mossberg and Mike Blair for accepting the positions of Chair and Vice-Chair.

Chair Mossberg welcomed Mark Abram as new Council Liaison for the Planning and Zoning Commission.

Vice-Chair Blair made a MOTION to ADJOURN. The motion was SECONDED by Commissioner Kirkham and CARRIED UNANIMOUSLY (6-0). Chair Mossberg declared the meeting adjourned at 6:45:20 P.M.

**ADJOURNMENT** [6:45:20 PM](#)